

Feb 04, 2021

s/ Jeremy Heacox

Deputy Clerk, U.S. District Court
Eastern District of Wisconsin

UNITED STATES DISTRICT COURT

for the
Eastern District of WisconsinIn the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)USPS Parcel assigned tracking number
EJ613755514US originating from Glendale, AZ on
February 1, 2021

Case No. 21-M-309 (SCD)

APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

a USPS Parcel assigned tracking number EJ613755514US originating from "Katrina Cleveland" in Phoenix, AZ on February 1, 2021 and addressed to "Valaria Cleveland" in Milwaukee, Wisconsin.
located in the Eastern District of Wisconsin, there is now concealed (identify the person or describe the property to be seized):

A quantity of a controlled substance, or other evidence of using the mail to facilitate the possession and/or distribution of a controlled substance, in violation of title 21 U.S.C. §§ 841(a)(1) and 843(b).

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☐ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section
21 U.S.C. §§ 841(a)(1)
and 843(b)Offense Description
Possession with intent to distribute a controlled substance, and
Unlawful Use of a Communication Facility (including the mails) to Facilitate the
Distribution of a Controlled Substance

The application is based on these facts:

Please see attached affidavit, which is hereby incorporated by reference.

☒ Continued on the attached sheet.☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Applicant's signature

Jeffrey R. Metke, Inspector, USPS

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by

Telephone call

(specify reliable electronic means).

Date: 02-04-2021



Judge's signature

City and state: Milwaukee, Wisconsin

Stephen C. Dries, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF A SEARCH WARRANT

I, Jeffrey R. Metke, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a United States Postal Inspector, assigned to the United States Postal Inspection Service Domicile in Milwaukee, Wisconsin. I have been a federal law enforcement agent for over thirteen years. From July 2007 to February 2015, I served as a Special Agent with the United States Department of Homeland Security and from February 2015, to the present day, with the United States Postal Inspection Service. In addition, I have served as a Wisconsin state certified law enforcement officer for multiple agencies in the state of Wisconsin since 1995.
2. The United States Postal Inspection Service is the primary investigative arm of the United States Postal Service and is charged under Title 18, United States Code, 3061 with the enforcement of laws governing the use and movement of the United States Mail, including the misuse and fraudulent schemes involving the mail, crimes relating to mail fraud, narcotics trafficking and identity theft involving the United States Mail.
3. I am currently a member of the North Central (formerly Wisconsin) High Intensity Drug Trafficking Area Task Force (HIDTA) assigned to the drug interdiction initiative as an investigator specializing in the smuggling, trafficking, and distribution of dangerous and controlled substances through the United States Mail. I have conducted hundreds of drug investigations in my two decades of law enforcement experience and received continual training in that and other fields. I am familiar with various methods of smuggling and trafficking narcotics and other controlled substances and the proceeds from sale of such

substances. I am also familiar with methods used to evade detection of both the controlled substances and the proceeds from their sale that are used by drug traffickers. Within the United States Postal Inspection Service, a primary investigative assignment of mine is the Prohibited Mail-Narcotics program, which is responsible for protecting the United States Mail from misuse by traffickers and smugglers of illicit controlled substances. Also, within this program area is an effort to stop the misuse of the United States Mail by said drug traffickers, by seizing the proceeds of this unlawful activity as the proceeds are mailed back to the sources of supply.

PURPOSE OF AFFIDAVIT

4. This affidavit is made in support of a Federal Search and Seizure Warrant for the SUBJECT PARCEL described below in Paragraph 5, for items which may constitute the fruits, instrumentalities, proceeds and evidence of violations of Title 21, United States Code, Sections 841(a)(1) (Distribution and Possession with Intent to Distribute a Controlled Substance), 843(b) (Unlawful Use of a Communication Facility (including the mails) to Facilitate the Distribution of a Controlled Substance) and 846 (Conspiracy to Distribute a Controlled Substance).

PARCEL TO BE SEARCHED

5. This affidavit is made in support of an application for a Federal Search and Seizure Warrant for a United States Priority Mail Express piece (the SUBJECT PARCEL), described as a 14.125" L x 12.0" W x 3.5" H, white colored United States Postal Service Priority Mail Express medium flat rate box, weighing approximately 1 pound 5.1 ounces or 597 grams, bearing USPS Priority Mail Express tracking number EJ613755514US. The parcel bears a handwritten label addressed from "Katrina Cleveland, 8127 N. 27th Ave

Phoenix, AZ 8051.” The handwritten label is addressed to “Valaria Cleveland, 2729 W. Clark Milwaukee, WI 53210.” The SUBJECT PARCEL was sent from Glendale, Arizona on February 1, 2021 and the postage paid was \$50.85.

ITEMS TO BE SEIZED

1. The following are items that may be seized from the SUBJECT PARCEL, and which may constitute the fruits, instrumentalities, proceeds and evidence of violations of Title 21, United States Code, Sections 841 (a)(1) (Distribution and Possession with Intent to Distribute a Controlled Substance), 843(b) (Unlawful Use of a Communication Facility, including the mails, to Facilitate the Distribution of a Controlled Substance) and 846 (Conspiracy to Distribute a Controlled Substance):
 - a. Any controlled substance
 - b. Currency, money orders, bank checks, or similar monetary instruments; and
 - c. Any correspondence and/or communications pertaining to (a) or (b).

INVESTIGATION OF THE SUBJECT PARCEL

2. I, and other Postal Inspectors, have identified a trend of drug traffickers mailing controlled substances into the Eastern District of Wisconsin, from states in the Western United States, the Caribbean, and along the Southern international border such as: Washington, Oregon, California, Colorado, Nevada, New Mexico, Texas, Arizona and the territorial island of Puerto Rico. There, controlled substances are more easily and readily available, due to certain state laws, and a porous international border, among other reasons. Inasmuch as individuals who would receive these controlled substances through the United States Mail are obliged to pay for said controlled substances, often, the United States Mail is utilized by drug recipients to send payments back to the drug traffickers on

West Coast, along the Southwestern United States and Puerto Rico. As such, within the Prohibited Mail-Narcotics program area of the United States Postal Inspection Service, certain indicators have been identified in the area of the trafficking of both illegal drugs, and their proceeds, through the United States Mail.

3. I, along with other Milwaukee Postal Inspectors, conduct routine examinations of Postal Service databases and the outside of parcels traveling in Express Mail and Priority Mail Express to the Eastern District of Wisconsin from states in the Southwest and Western United States as well as the territory of Puerto Rico.
4. On Tuesday February 2, 2021, I was reviewing Postal Service databases for Priority Mail Express parcels originating in the Phoenix Arizona metropolitan area and arriving in the Milwaukee Wisconsin metropolitan area. I observed a notation in the delivery database from a United States Postal Service Letter Carrier which read, "No authorized recipient available". This peaked my curiosity and I called the United States Postal Service Milwaukee-Western Station manager to inquire about the parcel. The station manager had not yet spoken with the letter carrier but confirmed the information in the delivery system I had located. The station manager provided me a color photograph of the mailing label on the SUBJECT PARCEL for my review. I immediately noticed several indicators of drug trafficking and instructed the station manager to remove the parcel from the mail stream for closer examination.
5. Closer examination revealed the parcel was addressed in a hand written manner with the surname misspelled both from the sender and to the intended addressee. The ZIP code the sender used was structurally deficient in that it contained only 4 digits. The minimum amount of digits every ZIP code in the United States of America must have, are five

digits. The street address in Milwaukee was incorrectly spelled. The postage for the parcel was \$50.85. The parcel was specifically addressed in the following manner:

From: Katrina Cleveland
8127 N 27th ave
Phoenix, AZ 8051

To: Valaria Cleveland
2729 W. Clark
Milwaukee, WI 53210

6. Another indicator of drug trafficking I immediately noticed was the fee free signature delivery confirmation of the addressed recipient was not requested for the parcel. The use of “Waiver of Signature” for Priority Mail Express parcels is a common practice identified by the U.S. Postal Inspection Service in the trafficking of illegal drugs through the United States Mail; as it is used to subvert law enforcement attempts for a controlled delivery of said drugs.
7. I conducted a search of the Google Maps Street View program which provides a 360 degree full color view of many locations; including what would be the area of 8127 N. 27th Avenue Phoenix Arizona 85051. There is no residence or other building located at the address of 8127 N. 27th Avenue Phoenix Arizona, as this is simply the middle of the roadway on N. 27th Avenue.
8. To confirm or refute this finding, I searched two different Postal Service delivery databases looking for a delivery point for this address and found no such address exists.
9. I conducted a search of the Thomson-Reuters CLEAR database for the address 2729 W. Clarke Street Milwaukee, Wisconsin 53210 and I found no person with the last name Cleveland or Cleveland associated to this address.

10. I conducted a search of the Thomson-Reuters CLEAR database for any person with the name Valaria Cleveland or Cleveland in the state of Wisconsin. The CLEAR database revealed no person with this name in living or previously associated in or to the state of Wisconsin.
11. It is common practice in drug trafficking through the United States Mail to use fraudulent names and addresses in order to conceal the true identity of the sender and receivers of the controlled substances.
12. I am aware spending over \$50 dollars in U.S. Postage to mail something across the country is indicative of mailing something important. Even though there is a designated location on the mailing label for the sender to include their telephone number and a second designated location to include to telephone number of the receiver in case of loss, damage or a delivery problem by the U.S. Postal Service; no telephone number was entered in either location by the sender for this parcel. This is a common practice identified by the U.S. Postal Inspection Service in the trafficking of illegal drugs and their proceeds through the United States Mail.
13. Based upon my training and experience in the investigation of smuggling, trafficking and distribution of controlled substances, entering the Eastern District of Wisconsin through the U.S. Mail, I believe this parcel likely contains controlled substances being trafficked through the United States Mail. I then moved forward with a noninvasive law enforcement technique which would assist to confirm or refute my suspicions.
14. The United States Postal Inspection Service is a member agency of the North Central (formerly Wisconsin) High Intensity Drug Trafficking Area-HIDTA, a multi-agency anti-drug task force, organized under the Office of the National Drug Control Policy. I

am assigned to the HIDTA-Interdiction Initiative Group. I contacted Milwaukee Police Detective Eugene Nagler, a certified narcotics K-9 handler who is also a member of the Interdiction Initiative Group, for assistance in conducting a canine sniff of the air near the SUBJECT PARCEL. On February 3, 2021, I met with Detective Nagler and his canine "Flora." Together, Detective Eugene Nagler and Flora are a certified Police Narcotic Detection Team, accredited through the Indiana Law Enforcement Training Academy, Provider 5000-80, in the detection of heroin, cocaine, marijuana, methamphetamine and other controlled substances made with like components. Detective Nagler and Flora were certified on February 14, 2014, January 20, 2015, January 18, 2016, January 13, 2017, January 18, 2018, February 1, 2019 and February 6, 2020. Detective Nagler and Flora were also certified by The American Working Dog Association (AWD) on January 20, 2015. Detective Nagler received an additional 120 hours of single purpose narcotic detector dog handling training January 27 – February 14, 2014. Detective Nagler is a current member of the North American Police Work Dog Association as required by the State of Wisconsin Controlled Substances Board. Detective Nagler states that during training, Flora has alerted to the presence of controlled substances that she is trained to detect, over 500 times. Detective Nagler informed me that Flora's alert indicates the presence of controlled substances or other items, such as proceeds of controlled substances, which have been recently contaminated with, or associated with, the odor of one or more controlled substances.

15. On February 3, 2021, the SUBJECT PARCEL was among five additional empty boxes place in a conference room at the United States Postal Inspection Service Office of Milwaukee Wisconsin. I watched as Flora alerted to the SUBJECT PARCEL, by ceasing

all movement, sitting and staring at the SUBJECT PARCEL. Detective Nagler advised me that these actions are consistent with Flora detecting the odor of controlled substances. I watched the canine noticeably and physically alert to the odor of a controlled substances emanating from the SUBJECT PARCEL.

16. Based upon the information as outlined in this affidavit, I respectfully believe that this parcel may contain controlled substances being trafficked through the United States Mail. Consequently, I respectfully request authorization to open this parcel and search its contents for evidence of controlled substance trafficking. I also request permission to seize contents of the parcel as evidence, that may constitute contraband, proceeds or fruits of the crime of Distribution of a Controlled Substance, as outlined under Chapter 21 United States Code 841 (a)(1).
17. I have not included in this affidavit each and every fact known to me regarding this investigation and search warrant application request; the facts included are only those that I, respectfully, believe may relate to a determination of whether there is probable cause to believe that items sought to be seized will be found in the place, or item, to be searched, and whether those items are evidence of the offenses identified in this affidavit.